

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOHN E. TAYLOR, JR.,

Plaintiff,

v.

LISA GAYLE, *et al.*,

Defendant.

Case No. 11-cv-104-JPG-PMF

**MEMORANDUM AND ORDER**

This matter comes before the Court on two matters.

**I. Appeal of Magistrate Judge Order**

Plaintiff John E. Taylor, Jr. has filed a motion to object to an order by Magistrate Judge Philip M. Frazier (Doc. 186), which the Court construes as an objection to Magistrate Judge Philip M. Frazier's January 14, 2013, order (Doc. 185) reserving ruling on Taylor's motion for appointment of counsel for trial (Doc. 172) and denying his motion to stay a ruling on the pending summary judgment motions (Doc. 177).

A district court reviewing a magistrate judge's decision on nondispositive issues should modify or set aside that decision if it is clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). The Court may also *sua sponte* reconsider any matter determined by a magistrate judge. L.R. 73.1(a); *Schur v. L.A. Weight Loss Ctrs., Inc.*, 577 F.3d 752, 760 (7th Cir. 2009).

The Court has reviewed the original motions, Magistrate Judge Frazier's order and Taylor's objection. That order was not clearly erroneous or contrary to law, and it was not error to rule on Taylor's motions before he filed a reply brief. For this reason, the Court **AFFIRMS** Magistrate Judge Frazier's January 14, 2013, order (Doc. 185) and **OVERRULES** Taylor's

objection (Doc. 186).

**II. Motion for Telephone Status Conference**

Taylor has filed a motion for a telephone status conference with the District Judge so that he may complain about defense counsel in a way that he is unable to articulate in writing (Doc. 176). The Court does not believe a status conference for this purpose is necessary and therefore **DENIES** the motion (Doc. 176).

**IT IS SO ORDERED.**

**DATED: February 4, 2013**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**